



Jersey Financial Services Commission

Public Statement

Christian James Bulcock Blair ("Mr Blair"), born 11 February 1973
(formerly Christian James Bulcock)

Former Trust Company Business Employee

Financial Services (Jersey) Law 1998, as amended (the "FS(J)L")

1 Action

- 1.1 The Jersey Financial Services Commission (the "**Commission**") issues this public statement pursuant to Article 25(a) of the FS(J)L with respect to directions issued to Mr Blair under Article 23 of the FS(J)L.
- 1.2 The Commission's actions support its objectives of reducing the risk to the public of financial loss and protecting and enhancing the reputation and integrity of Jersey in commercial and financial matters.

2 Background

- 2.1 Mr Blair was a Senior Trust Administrator within a registered person. The Commission commenced an investigation into Mr Blair following receipt of information which suggested, *inter alia*, he was (outside the scope and supervision of his employer):
 - 2.1.1 acting as a director on a structure or structures administered by an overseas trust company business (the "**overseas TCB**"); and
 - 2.1.2 being paid to act as a 'dummy' beneficiary and/or 'dummy' settlor and/or 'dummy' shareholder on structures administered by the overseas TCB.

3 Summary of findings

- 3.1 During the course of 2010 Mr Blair was asked by the overseas TCB (he had a personal relationship with one of the directors) to act on some structures administered by the overseas TCB. It has been established these arrangements included acting as a director of one non-Jersey company ("**Company X**"), and also acting in what amounted to 'dummy' capacities with respect to five non-Jersey companies.



Company X

- 3.2 In summary with respect to Mr Blair's conduct re Company X:
- 3.2.1 Mr Blair was a director of Company X for the period April 2011 to at least, we understand, 2014, and received an annual fee (from or on behalf of the overseas TCB) for his directorship.
 - 3.2.2 Mr Blair did not understand, nor did he seek to understand, why it was considered necessary or appropriate for him to act as a director of Company X.
 - 3.2.3 Mr Blair never conducted any due diligence with respect to Company X or any related parties.
 - 3.2.4 As a director of Company X Mr Blair had next to no documents in his possession. He never attended any board meetings of Company X, nor did he ever sign or review any documentation (excluding signing a letter with respect to his appointment as a director).
 - 3.2.5 Mr Blair had a stark lack of understanding of Company X and its activities, and he never attempted to have an active involvement with Company X. Except for his efforts to ensure his fees were received, next to no consideration was ever given to Company X by Mr Blair in his tenure as a director.
 - 3.2.6 During the Commission's enquiries Mr Blair did not know if Company X was a going concern, nor did he make any reasonable attempt to verify the status of Company X.
 - 3.2.7 Mr Blair gave no consideration to anti-money laundering or countering the financing of terrorism matters.
 - 3.2.8 Mr Blair stated he acted the way he did with respect to Company X "*because it was easy money.*"
 - 3.2.9 Mr Blair described what he was doing as receiving "*money for nothing.*" He said he "*[did not] take [his] responsibilities seriously.*" Mr Blair accepted he did not act in a fit and proper manner with respect to his directorship.
- 3.3 The Commission considers Mr Blair recklessly engaged in conduct with respect to Company X which resulted in an almost total abdication of his responsibilities as a director. The Commission considers Mr Blair acted without due regard to his fiduciary obligations and he displayed a gross level of incompetence.

Mr Blair's 'dummy' positions

- 3.4 In summary with respect to Mr Blair's 'dummy' positions:
- 3.4.1 Until the investigation by the Commission Mr Blair was not actually aware of the specific capacity in which he was acting (or purportedly acting) or how his details



were being utilised by the overseas TCB, as he did not initially have any specific knowledge with respect to the five non-Jersey companies (until presented with information from the Commission).

- 3.4.2 Mr Blair's initial understanding was he would receive payment, from or on behalf of the overseas TCB, for acting in a 'dummy' capacity re nominee settlor or nominee beneficial owner roles in relation to several trusts or special purpose vehicles administered by the overseas TCB on behalf of its customers. He described what he was doing as receiving "*money for nothing.*"
- 3.4.3 Following the provision of his verification of identification information to the overseas TCB, he only became aware he had been used in what appeared to be a 'dummy' capacity upon receipt of what were occasional fees from or on behalf of the overseas TCB. The payments occurred on a few occasions, and, on each occasion, Mr Blair made no real effort to properly understand why he was being paid.
- 3.4.4 As a result of enquiries the Commission established Mr Blair had indeed acted or been used in what appeared to be 'dummy' capacities, but not in line with his initial understanding - we were unable to obtain material to demonstrate the nominee settlor or nominee beneficial owner roles. However it became clear he had been used by the overseas TCB with respect to the five non-Jersey companies.
- 3.4.5 It was established the boards of directors of the five non-Jersey companies (understood to be client companies of the overseas TCB) had unbeknownst to Mr Blair assigned him, as a professional, with the responsibility to nominate, for consideration by the boards, guarantor members of the companies.
- 3.4.6 Mr Blair, however, had no documentation in relation to the arrangements, nor any knowledge of his roles or even of the existence of the five companies. Mr Blair had no understanding of why he was actually being used by the five companies and the overseas TCB in this way. Mr Blair had, however, received a number of payments amounting to several thousand US dollars for (it appeared) holding these positions of apparent responsibility, but, as previously noted, at no stage upon receipt of payment had Mr Blair sought to properly understand why he was being paid.
- 3.4.7 Mr Blair confirmed to the Commission he had been used by the overseas TCB in what effectively appeared to amount to 'dummy' positions, and that he acted and allowed himself to be used in such a manner "*for the money.*"
- 3.5 The Commission considers Mr Blair's conduct with respect to the 'dummy' arrangements and the five non-Jersey companies displayed a gross level of incompetence.
- 3.6 The conduct summarised above occurred while Mr Blair was a trust company business employee, but was conducted outside the scope and supervision of his employer.



4 Conclusion

- 4.1 Mr Blair accepted his conduct whilst employed by a registered person in relation to his arrangements with the overseas TCB, summarised above, was “reckless” and was not fit and proper.
- 4.2 The Commission has concluded Mr Blair displayed a gross level of incompetence on numerous occasions and in numerous regards, such that he is not fit and proper to work in any capacity in or for a registered person without the prior consent of the Commission.

5 Sanction

- 5.1 The Commission has therefore concluded it is necessary and proportionate in all the circumstances of the case that directions are issued under the FS(J)L. Mr Blair has also been issued with directions under the equivalent provisions of the other regulatory laws¹.
- 5.2 The directions prevent Mr Blair from: performing any function at all for; engaging in any employment at all by; and holding any position at all in, the business of any registered person.
- 5.3 The directions shall remain in force until such time as Mr Blair successfully applies to the Commission, pursuant to Article 23(6) of the FS(J)L, for a variance or withdrawal of the directions. Mr Blair has also been issued with directions under the equivalent provisions of the other regulatory laws.
- 5.4 Mr Blair will commit an offence, under Article 23(15) of the FS(J)L, in the event he fails to comply with the provisions of the directions.
- 5.5 Pursuant to Article 23(15A) of the FS(J)L, any person who allows Mr Blair to perform a function, engage in employment or hold a position knowing that such performance, engagement or holding is in contravention of the directions shall be guilty of an offence.

Jersey Financial Services Commission

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¹ The Banking Business (Jersey) Law 1991, as amended
The Collective Investment Funds (Jersey) Law 1988, as amended
The Insurance Business (Jersey) Law 1996, as amended